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MAR 29 2011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. 7,038,807)

Issue Date: May 2, 2006)

Application No.: 09/557,037)

Filed: April 21, 2000)

March 29, 2011
Sacramento, California 95814

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

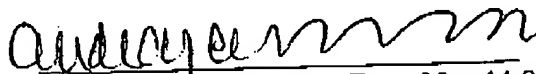
**PETITION UNDER 37 C.F.R. §1.182 TO EXPEDITE CONCURRENTLY FILED
PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF
MAINTENANCE FEE**

Dear Sir or Madam:

Pursuant to 37 C.F.R. §1.182, please expedite the handling of the Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in An Expired Patent filed concurrently.

Enclosed is a fee transmittal form authorizing the payment of the fee for this petition under 37 C.F.R. §1.17(f) to be paid from my firm's deposit account.

Dated: March 29, 2011


Audrey A. Millemann (Reg. No. 44,942)
Weintraub Genshlea Chediak
400 Capitol Mall, 11th Floor
Sacramento, CA 95814
(916) 558-6033

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PTO/SB/45 (03-09)

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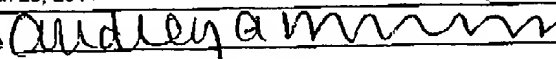
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MAINTENANCE FEE TRANSMITTAL FORM*(Do not submit this form electronically via EFS-Web)*

Address to:
Director of the United States
Patent and Trademark Office
Attn: Maintenance Fee
2051 Jamieson Avenue, Suite 300
Alexandria, VA 22314

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314" on March 29, 2011

Signature

Typed or printed name Audrey A. Millemann

- OR -

Fax to: 571-273-6500

Enclosed herewith is the payment of the maintenance fee(s) for the listed patent(s).

- ☐ A check for the amount of \$ _____ for the full payment of the maintenance fee(s) and any necessary surcharge is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is enclosed.
- ☒ The Director is hereby authorized to charge \$ 2130 to cover the payment of the fee(s) indicated below to Deposit Account No. 501176.
- ☒ The Director is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 501176.

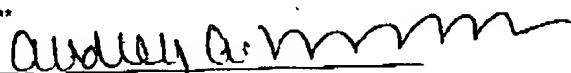
* Information required by 37 CFR 1.366(c) (columns 1 & 2). Information requested under 37 CFR 1.366(d) (columns 3, 4, & 5).

| Item | Patent Number* | U.S. Application Number* (e.g., 09/555,555) | Maintenance Fee Amount (37 CFR 1.20(e)-(g)) | Surcharge Amount (37 CFR 1.20(h)) | Payment Year (select one below) Column 5 | | |
|--------------------------|----------------|------------------------------------------------|------------------------------------------------|--------------------------------------|-------------------------------------------------------------------------------------|---------|----------|
| | | | | | 3.5 yrs | 7.5 yrs | 11.5 yrs |
| 1 | 7,038,807 | 09/557,037 | 490.00 | 1640.00 | <input checked="" type="checkbox"/> | | |
| 2 | | | | | | | |
| 3 | | | | | | | |
| 4 | | | | | | | |
| 5 | | | | | | | |
| Subtotals: Columns 3 & 4 | | | 490.00 | 1640.00 | <input type="checkbox"/> additional sheets attached for listing additional patents. | | |
| Total Payment | | | 2130.00 | | | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on Form PTO-2038.

Respectfully submitted, **

Customer's Signature

Customer's Name Audrey A. MillemannRegistration Number, if applicable: 44, 942Telephone: 916-558-8033Fax: 916-448-1611

Note: All correspondence will be forwarded to the "Fee Address" or to the "Correspondence Address" if no "Fee Address" has been provided. See 37 CFR 1.363.

Payment of small entity fee is appropriate if small entity status still exists, see 37 CFR 1.27(g). To establish small entity status or to change status from small to large entity, a written assertion is required. See 37 CFR 1.27 and 1.33(b).

** WHERE MAINTENANCE FEE PAYMENTS ARE TO BE MADE BY AUTHORIZATION TO CHARGE A DEPOSIT ACCOUNT, BOTH THE NAME AND SIGNATURE OF AN AUTHORIZED USER ARE REQUIRED.

This collection of information is required by 37 CFR 1.366. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA. 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314. For assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/66 (03-09)

Approved for use through 03/31/2012. OMB 0651-0016

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378 (c))**

Docket Number (Optional)

30012-pa

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent No. 7,038,807Application Number 09/557,037Issue Date May 2, 2006Filing Date April 21, 2000

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

The above - identified patent

☐

Is a reissue of original Patent No. _____ original issue date _____

original application number _____

original filing date _____

☐

resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____

filed on _____

CERTIFICATE OF MAILING (37 CFR 1.89(a))

I hereby certify that this paper (*along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class main in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

March 29, 2011

Date



Signature

Audrey A. Millemann

Typed or Printed Name of Person Signing Certificate

[page 1 of 3]

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

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1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

| NOT Small Entity | | | Small Entity | | |
|-----------------------------------|-------------|--------|--------------------------------------------|-------------|--------|
| Amount | Fee | (Code) | Amount | Fee | (Code) |
| <input type="checkbox"/> \$ _____ | 3 ½ yr fee | (1551) | <input checked="" type="checkbox"/> \$ 490 | 3 ½ yr fee | (2551) |
| <input type="checkbox"/> \$ _____ | 7 ½ yr fee | (1552) | <input type="checkbox"/> \$ _____ | 7 ½ yr fee | (2552) |
| <input type="checkbox"/> \$ _____ | 11 ½ yr fee | (1553) | <input type="checkbox"/> \$ _____ | 11 ½ yr fee | (2553) |

MAINTENANCE FEE BEING SUBMITTED \$ 490.00

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1640.00 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of a maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 1640.00

5. MANNER OF PAYMENT

☐ Enclosed is a check for the sum of \$ _____☒ Please charge Deposit Account No. 501176 the sum of \$ 2130.00☐ Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☒ The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. 501176

[Page 2 of 3]

PTO/SB/66 (03-09)

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7. OVERPAYMENT

As to any overpayment made please

OR



Credit to Deposit Account No. 501176



Send refund check

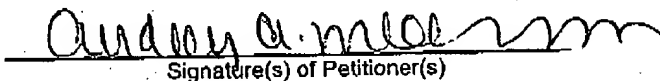
WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED



Signature(s) of Petitioner(s)

March 29, 2011

Date

Audrey A. Millemann

Typed or printed name(s)

44,942

Registration Number, if applicable

916-558-6033

Telephone Number

Weintraub Genshlea Chediak, 400 Capitol Mall, 11th Floor

Address

Sacramento, CA 95814

Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

ENCLOSURES



Maintenance Fee Payment



Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)



Maintenance Fee Transmittal Form

[Page 3 of 3]

MAR 29 2011

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The above - identified patent

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resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____

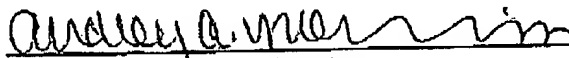
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Audrey A. Millemann

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[page 1 of 3]

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8. STATEMENT

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Audrey A. Millemann
Signature(s) of Petitioner(s)March 29, 2011
DateAudrey A. Millemann

Typed or printed name(s)

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Registration Number, if applicable

916-558-6033

Telephone Number

Weintraub Genshlea Chediak, 400 Capitol Mall, 11th Floor

Address

Sacramento, CA 95814

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ENCLOSURES



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Surcharge under 37 CFR 1.20(l)(2) (fee for filing the maintenance fee petition)



Maintenance Fee Transmittal Form

[Page 3 of 3]